THE MADRAS LEGISLATIVE COUNCIL

Wednesday, the 11th February 1959.

The House met in the Council Chamber, Fort St. George, at three of the clock, Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTION

Committee for the finalization of the Glossary of Tamil equivalents for English administrative terms.

* 21 *Q.*—VIDWAN T. MUTHUKANNAPPAN : Will the Hon. the Chief Minister be pleased to state—

(*a*) the names of the members of the Committee constituted for the finalization of the Glossary of Tamil equivalents for English administrative terms;

(*b*) whether any instances of deviation from the terms found in the Glossary have come to the notice of the Government; and

(*c*) if so, the action taken or proposed to be taken to enforce the use of the terms contained in the Glossary?

THE HON. SRI R. VENKATARAMAN (on behalf of the Hon. the Chief Minister) : (*a*), (*b*) & (*c*) The relevant particulars are given in a statement[a] placed on the table of the House.

VIDWAN T. MUTHUKANNAPPAN : ஐயா, இந்தப் பட்டியலில் கண்ட பெயர்களிலே பாதிப் பேருக்குமேல் அரசாங்க அலுவலர்களாக இருப்பதாகத் தெரிகிறது. மீதி இருக்கிற பல உறுப்பினர்கள் முக்கியமான கூட்டங்களுக்கெல்லாம் வருவதில்லை என்று நான் அறிகிறேன். அவர்களுக்கு ஏதாவது பயணப் படி அல்லது இருக்கைப் படி முதலான படிகள் கொடுக்கப்படாமலிருந்ததுதான் திருநெல்வேலி, பாளையங்கோட்டை போன்ற பகுதிகளிலேயிருந்து வரவேண்டிய உறுப்பினர்கள் வராமலிருந்ததற்குக் காரணமா ?

THE HON. SRI R. VENKATARAMAN : Travelling allowances are being paid.

VIDWAN T. MUTHUKANNAPPAN : ஐயா, இந்த மொழி பெயர்ப்புத் தயார் செய்வதற்குச் சாதாரணமாகத் தமிழ், ஆங்கிலம், மொழி நூல் (Philology) இம்மூன்றிலும் திறமை வாய்ந்தவர்கள் தான் இருக்க வேண்டும். ஆனால், தமிழ் நாட்டிலே அத்தகைய திறமைசாலிகளிலே டாக்டர் சேதுப் பிள்ளை, திரு. மீனாட்சிசுந்தரனார், டாக்டர் மு. வரதராசனார், திரு. ஆறுமுக முதலியார், டாக்டர் சிதம்பரநாதன் போன்றவர்கள் முன்னணியில் இருக்கின்றார்கள். ஆனால், இந்தக் குழுவில் டாக்டர் சேதுப் பிள்ளை தவிர, மற்றவர்கள் யாரும் இடம் பெறவில்லை. அவரும் தொடர்ந்து பல நாட்கள் கூட்டத்திற்கு வந்ததாகத் தெரியவில்லை. இந்த ஆட்சித் சொல் அகராதி முற்றும் சரியானதாக இருக்க முடியாது. ஆகையால், திருத்தமான—இறுதியான—ஒன்று தயாரிப்பதற்கு இவர்களையெல்லாம் கொண்ட ஒரு குழு ஏற்படுத்தப்படுமா என்று கேட்கிறேன்.

---

[a] Printed as Appendix I on pages 251–252 infra.

[11th February 1959

THE HON. SRI R. VENKATARAMAN: கனம் அங்கத்தினரிடம் இந்த விதமான நல்ல யோசனை இருந்தால், அதை சர்க்காருக்கு எழுதியனுப்புவதுதான் முறை. அதைச் சட்ட சபையில் கேள்வி மூலமாகக் கேட்பது அவ்வளவு நல்லதல்ல.

VIDWAN T. MUTHUKANNAPPAN : இந்தச் சொற்களிலே பல சொற்கள் அரசாங்கத்தாரால் இப்பொழுது கையாளப்படவில்லை. "கவர்னர்" என்ற சொல்லுக்கு "மாகாணத் தலைவர்" என்று பட்டியலில் இருக்கிறது. ஆனால், "ராஜ்யபாலர்" என்று கையாளப்படுகிறது. "கலெக்டர்" என்ற சொல்லுக்கு "மாவட்ட ஆட்சியாளர்" என்று இருக்கிறது. ஆனால், "தண்டல்நாயகம்" என்று கையாளுகிறார்கள். "டைரக்டர்" என்பதற்கு "இயக்குநர்" என்று இருக்கிறது. ஆனால், "நெறியாளர்" என்று கையாளுகிறார்கள். "இன்ஸ்பெக்டர்" என்பதற்குத் "தணிக்கையாளர்" என்று இருக்கிறது. "ஆய்வாளர்" என்று கையாளுகிறார்கள். இவ்வாறு தப்பிதமான முறையில் கையாளாமல், ஆட்சிச் சொல்லகராதியில் இருக்கின்ற பதங்களை இனியாவது கையாளுவார்களா ?

THE HON. SRI R. VENKATARAMAN : எந்த எந்த அதிகாரி எந்த எந்த இடத்திலே தவறான பதங்களை உபயோகிக்கிறார் என்பதை சர்க்காருக்கு யாராவது சொன்னால்தான் தெரியும். சில இடங்களில் ஏதோ தவறாகச் சில பதங்களை உபயோகிப்பதாக இப்பொழுது கனம் அங்கத்தினர் அவர்கள் சொன்னார்கள். சர்க்கார் பொதுவாக என்ன உத்தரவிட்டிருக்கிறதென்றால், "க்ளாஸரியில்" என்ன பதங்கள் போடப்பட்டிருக்கின்றனவோ, அவற்றையே உபயோகிக்கவேண்டும் என்பது. அதில் ஏதாவது வேறுபாடுகள் இருந்தால், அவற்றை அங்கங்கே உள்ளவர்களுக்கு மீண்டும் எடுத்துச் சொல்லி, "கிளாஸரி"யிலே இருக்கும் பதங்களையே உபயோகிக்கும்படியாக சர்க்கார் உத்தரவிடும்.

Teachers working in the District Board Schools

* 22 Q.—DR. A. CHIDAMBARANATHAN : Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that salaries are paid only once in three months to the teachers working in the Tiruchirappalli District Board Schools and Kanyakumari District Board Schools;

(b) whether it is a fact that the salaries for the months of June and July 1958 have not yet been paid to the teachers;

(c) if so, the reasons for the delay; and

(d) the steps proposed to be taken by the Government to avoid such delays in future?

THE HON. SRI C. SUBRAMANIAM : (a) No, Sir. The Member will also kindly note that there is no district board in Kanyakumari district.

(b) No, Sir.

(c) & (d) Do not arise.

DR. A. CHIDAMBARANATHAN : Sir, is it not a fact that in Tiruchirappalli district the payments are long delayed and that the district board did not pay in time the teachers their salaries for May and June?

THE HON. SRI C. SUBRAMANIAM : I know, Sir, that there were some delays not only in Tiruchirappalli district but in some other districts also and this was because the district boards had not

11th February 1959] [Sri C. Subramaniam]

sufficient funds. Now we have made sufficient arrangement to make funds available to the district boards. I do not think hereafter delays would occur.

Sri T. P. SRINIVASAVARADAN : Did the Government receive any complaint from the teachers of Ramanathapuram district that their salaries for the past three months had not been paid by the district board?

The Hon. Sri C. SUBRAMANIAM : As I have already indicated, there were complaints from many districts and we have now rectified the position. We have gone into the financial position of each district board and moneys are being sanctioned to the district boards for payment of salaries to the teachers and thus meeting their liabilities.

Foodgrains for the people of this State

* 23 *Q*.—Sri V. V. RAMASWAMI : Will the Hon. the Minister for Home be pleased to state—

(*a*) the normal requirements of foodgrains for the people of this State each year; and

(*b*) whether the Government have taken any steps to ascertain the progress of food production and, if so, what they are?

The Hon. Sri M. BHAKTAVATSALAM : (*a*) The requirement of foodgrains for the people of this State is about 43 lakh tons of clean foodgrains and this will increase at the rate of 1·38 per cent per year in order to provide for the increase in population.

(*b*) Targets of units or works and additional food production are fixed for all Food Production Schemes each year and the progress of achievement of the targets is watched by the heads of departments in charge of the schemes. The monthly progress is also reviewed by the Commissioner of Food Production from reports obtained from Collectors. The Government ascertain the progress of the schemes during each quarter and during the year as a whole with a view to see how far the State target has been realized.

Sri V. V. RAMASWAMI : ஒவ்வொரு மாநிலமும் எவ்வளவு தூரம் உணவுப் பொருள்களை அநேகமாகப் பெருக்க வேண்டும் என்பதற்கு மத்திய அரசாங்கத்திடமிருந்து ஏதாவது சுற்றறிக்கை வந்திருக்கிறதா ? அது சம்பந்தமாக நம் மாநிலத்தில் ஏதாவது நடவடிக்கை எடுக்கப்பட்டிருக்கிறதா ?

The Hon. Sri M. BHAKTAVATSALAM : அப்படியொன்றும் மத்திய அரசாங்கத்திடமிருந்து உத்தரவு வரவில்லை.

Sri MOHAMED RAZA KHAN : On what basis do the Government come to the conclusion that only so much of foodgrains are required? Have they got a basis that a man or a child would consume so much?

The Hon. Sri M. BHAKTAVATSALAM : Yes. This is calculated on the basis that the average normal consumption would be 15·3 oz. per adult head.

Sri G. KRISHNAMOORTHY : Will not the consumption of more vegetables lessen the consumption of foodgrains and may I know what steps the Government have taken to increase the production of vegetables?

The Hon. Sri M. BHAKTAVATSALAM : Government have been taking some steps to encourage the cultivation of vegetables and also fruits.

Sri A. GAJAPATHY NAYAGAR : ராஜ்யத்தில் உண்டாகும் உணவுப் பொருளுக்கும், இந்த ராஜ்யத்தில் இருக்கும் மக்களுக்கும் கணக்குப் போட்டுப் பார்த்தால், ஒரு ஆளுக்கு எவ்வளவு உணவு தேவையாக இருக்குமென்று அரசியலார் சொல்வார்களா ?

The Hon. Sri M. BHAKTAVATSALAM : அதைத்தான் நான் ஆங்கிலத்திலே சொன்னேன். ஒரு வயதுவந்த ஆளுக்கு சராசரி உணவுத் தேவை தினமொன்றுக்கு 15·3 அவுன்ஸ் என்று மதிப்பிடப்பட்டிருக்கிறது.

Sri K V. RAMASWAMY : If hand-pounded rice is consumed instead of milled rice, will it not lessen the quantity of foodgrains required to meet our needs?

The Hon. Sri M. BHAKTAVATSALAM : That is so and if consumption of hand-pounded rice is encouraged, it will go some way to solve the food problem.

Sri V. V. RAMASWAMI : The Central Government has suggested to the State Government that targets of food production may be fixed for every district, village and also individual farmer. The suggestion is contained in the circular addressed by the Union Minister for Food and Agriculture to State Governments. இப்படியாக, சென்ற ஆண்டு மார்ச்சு மாதத்திலே ஒரு சர்க்குலர் வெளிவந்து இருக்கிறது.

The Hon. Sri M. BHAKTAVATSALAM : அம்மாதிரி சர்க்குலர் வந்திருக்கிறது. அதுபோன்று எத்தனையோ சர்க்குலர்கள் வந்துகொண்டே இருக்கின்றன. இதெல்லாம் "டார்கெட்" பற்றியது. ஜில்லா, கிராமம், தனி விவசாயி எவ்வளவு உணவு உற்பத்தி செய்யவேண்டும் என்பதற்கான "டார்கெட்" பற்றிய சர்க்குலர்கள் அவை.

Sri V. V. RAMASWAMI : நமது மாநிலத்தின் நிலைமையைப்பற்றி ஆராய்ந்தறிவதற்கு ஏதாவது ஒரு குழு நியமிக்கப்பட்டதா ? அதனுடைய வேலை முடிவடைந்துவிட்டதா ?

The Hon. Sri M. BHAKTAVATSALAM : நம்முடைய ராஜ்யத்திலே விவசாய உற்பத்தியைப்பற்றி இதுவரை நடைபெறுகிற வேலைகள், திட்டங்கள், திட்டங்களின் அபிவிருத்தி இவைகளை ஆராய்வதற்கும், உணவு உற்பத்தியை இன்னும் எவ்வாறு அதிகப்படுத்த வேண்டும் என்பதற்கான வழி வகைகளைக் காண்பதற்காகவும் ஒரு கமிட்டி நியமிக்கப்பட்டிருக்கிறது.

Madras Money-lenders Act, 1957

* 24 *Q.*—**Dr. A. SREENIVASAN** : Will the Hon. the Minister for Revenue be pleased to state when the Madras Money-lenders Act, 1957, will be brought into force?

The Hon. Sri M. A. MANICKAVELU : The Madras Money-lenders Rules have been published in the *Fort St. George Gazette* for public criticism. The draft rules will be taken into consideration after the 25th March 1959. The areas in which the Act may be enforced in the beginning and the date for such enforcement are under the consideration of the Government.

11th February 1959]

SRI MOHAMED RAZA KHAN : Why was there such inordinate delay in the drafting of the rules? If I remember aright, it is more than a year since the Act was passed by the Legislature.

THE HON. SRI M. A. MANICKAVELU : That question also arose in my mind. But, Sir, the Board, in framing the rules, wanted copies of printed speeches of hon. Members made on the floor of the House in which they had made many suggestions. Copies of printed speeches were not available. We supplied the proof copies in March or April. After scrutiny of these suggestions, the Board asked for certain clarifications and the Law Department had to scrutinize them again. No doubt this has taken a longer time than usual. But this is a new Act which embraces so many activities of that section of the people.

SRI MOHAMED RAZA KHAN : May I bring to the notice of the Hon. Minister that this Bill was introduced as early as 1955? There was a discussion in both the Houses. Then it was referred to a Joint Select Committee and it submitted a report. The Bill was again introduced in the House after sometime, after it had lapsed. To which speeches is the Hon. Minister referring? Is he referring to speeches made when the Bill was first introduced or speeches made when the Bill was re-introduced?

THE HON. SRI M. A. MANICKAVELU : I was only referring to speeches made immediately before the Bill was passed into law. The Bill was passed into law in December 1957.

SRI K. BALASUBRAMANYA AYYAR : May I know why copies of the speeches delivered by the Members were required by the Board, when there is the Act which gives power under various sections?

THE HON. SRI M. A. MANICKAVELU : Sir, there were certain comments and criticisms during the course of the debate on the Bill, bringing to the notice of the Government certain things. For instance, I may mention one thing regarding the fixing of the licence fee. Some Members suggested that it could be a lower rate. We accepted. Such matters the Board wanted to refer to.

SRI MOHAMED RAZA KHAN : Is the Hon. Minister aware of the fact that even though the Act was passed, it has not been put into operation? The result is that in the Madras City high rates are being charged and the middle class people are put to a good deal of suffering. Their need is such that they go to those people and borrow money by paying a higher rate of interest.

THE HON. SRI M. A. MANICKAVELU : Now the suffering will be a matter of weeks or months.

Government Estate, Guindy

* 25 *Q.*—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Home be pleased to state whether there is any proposal before the Government to develop a portion of the Government Estate, Guindy, as a Public Park and, if so, the estimated cost of the scheme and the stage at which the matter now stands? 8-10 p.m.

[11th February 1959

THE HON. SRI M. BHAKTAVATSALAM : Yes. The Government have sanctioned the formation of a Public-*cum*-Children's Park and a Deer Park at an estimated cost of Rs. 1·19 lakhs for implementation during the current financial year. The work is now in progress.

VIDWAN T. MUTHUKANNAPPAN: ஐயா அந்த இடம் அடையாற்றுக்கும் சைதாப்பேட்டைக்கும் வெகு தொலை தூரத்தில் தனித்து இருப்பதால், அந்த இடத்திற்கு ஜனங்களும், பிள்ளைகளும் பெரும்பாலும் வரமாட்டார்கள். ஆகவே வேறு ஒரு இடத்தைப்பற்றி யோசிக்க அரசாங்கம் முன் வருமா ?

THE HON. SRI M. BHAKTAVATSALAM : பார்க் என்பது கடையில் விற்கக்கூடிய பொருள் அல்ல. எங்கே பார்க்குக்குத்தகுந்த இடம் இருக்கிறதோ, அங்கேதான் அதை ஏற்படுத்த வேண்டும். அப்படிப்பட்ட வசதி அங்கேதான் இருக்கிறது. அந்த இடம்தான் இந்தியாவிலேயே, ஏன் உலகத்திலேயே, இருக்கக்கூடிய அழகான இடம் என்று பல நிபுணர்கள் சொல்லியிருக்கிறார்கள். அந்த அமைப்பு அங்கேதான் இருக்கிறது. முன்பு இருந்த கவர்னர் அவர்கள் அந்த இடத்தை நம்மிடம் ஒப்படைத்திருக்கிறார். அங்கேதான் ஏராளமான மான்கள் இருக்கின்றன. பறவைகளும் அந்த ஏரியாவில்தான் அதிகமாக இருக்கின்றன. அதனால் வேறு எந்த இடத்தையும் தேடிக்கொண்டு போகவேண்டாம் என்று தோன்றுகிறது.

MR. CHAIRMAN : Questions are over.

[*Note*.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—DISCUSSION ON THE GOVERNOR'S ADDRESS—*cont.*

* MR. CHAIRMAN : Now, the Leader of the House will reply to the discussion on the Governor's Address.

* THE HON. SRI R. VENKATARAMAN : Mr. Chairman, Sir, concluding his Address to the Joint Session of the Madras Legislature, the Governor has expressed the hope that our deliberations will be conducted with the usual forbearance, decorum and thoroughness for which this Legislature is justly renowned. The course of the debate on the Governor's Address in this House in the last four days has fully established the assumption made by the Governor. Several speakers participated in the debate and almost every one of them had something very useful to say and some points of view to express and, in fact, many of the speeches were replete with excellent suggestions for action. The Government, both consciously and unconsciously, are influenced by the views expressed by hon. Members of this House, even though I must regret that some of the Ministers are not able to be present all the time when all the Members are speaking. Criticisms of various departments are taken note of and when those matters are taken up for consideration, certainly the views expressed by the hon. Members will receive due weight.

Sir, the practice of an Address or a Speech from the Throne which is prevalent in the British House of Commons has been followed in our Constitution. A perusal of the debates in the British House of Commons, following an Address by the King, discloses

11th February 1959] [Sri R. Venkataraman]

that the debate usually confines itself to the broad policies which the Government propose to follow during the year. The Address or Speech from the Throne itself makes succinct reference only to the policies to be adopted by the Government during the year. In comparing the debates following the speech from the Throne with those debates on the Budget, one finds that the debate on the Budget contains several references to individual grievances, local requests, requests from constituencies and so on, while the debate on the Speech from the Throne is largely confined to matters of policy. The House should, therefore, be thankful to the hon. the Leader of the Opposition for having brought out this distinction in the course of his illuminating address yesterday. He sought to confine his remarks largely to matters of policy. I shall be privileged to follow in his footsteps. In the course of my reply, I shall confine my remarks only to matters relating to the policy of the Government and if I do not touch upon very many other suggestions which have been made in the course of the debate, I am sure, the House will understand the approach I am making. It is not out of any indifference to the various suggestions that have been made that I do not deal with them in the course of my reply but largely with a desire to follow the usual practice and conventions with regard to the debate on the Governor's Address, and I propose to confine myself to the broad matters of policy that have been raised in the course of the discussion.

Sir, looking back on the four days' discussion in this House, one finds that five or six very important subjects have been dealt with, viz., the Government's land reform policy and the fixation of ceiling on holdings of land, control of food prices and State Trading relating thereto, grants to aided elementary schools, emoluments of Non-Gazetted Officers, Legislature sittings in Ootacamund, recognition of Homoeopathic system of medicine and a few others which, if time permits, I shall briefly touch upon.

I shall now proceed to deal with each one of those items. Land reform has naturally come in for much adverse criticism from all sections of the Opposition and also from one or two Members on this side. Whenever a radical change in an established order of society is contemplated, it is bound to evoke criticism not only because it is likely to deprive a section of the people of their age-old privileges but also because of a natural disinclination on the part of the people for any change that is new. This explains the opposition not only from the people who own lands but also from others who do not own lands and yet feel very strongly about it. Sir, the decision of the Government to proceed with the land reform is based on their anxiety to improve the lot of the agricultural worker, to ensure for him a higher standard of life and to provide for him a stake in the field of his occupation. It is well-known that the plight of the agricultural labourer is very hard and his standard of life much poorer than his *confreres* in the industrial and commercial sectors. The only way, according to the Government, is to create an interest in land for him so that he may be enthused to produce more not only for himself but also for society at large. The hon. the Leader of

[Sri R. Venkataraman] [11th February 1959

the Opposition criticised it as a denial of justice in order to satisfy an imaginary concept relating to social justice. Sir, you are aware that the concept of justice has varied from time to time and from clime to clime. It has never had the same connotation during different periods of history. While the preservation of the existing order of society appeals to some as justice, the creation of a new social order, in which the differences between the haves and the have-nots, between the landowners and the landless will be narrow and there will be brought about comparative equality in society, is regarded as social justice by some others. It is, therefore, a matter of approach to the problem rather than one of injustice done to any particular section of the community. In the long list of legislation
3–20 p.m. which we have undertaken in the past beginning with the abolition of zamindari in the State, followed by fixation of tenure for the tenants and followed also by the Pannaiyal Protection Act, giving a certain share to the tenant in the produce and also ensuring fair wages to the pannaiyals of Tanjore district, we have been following the policy and it has been the endeavour of the Government to see that social justice is rendered to the have-nots who are at present living on the land. A further direction of the same policy points only to the fixation of ceiling on ownership of land and the distribution of the surplus land among the landless poor of the country according to a pattern which has since been more or less decided.

There is another aspect to this question. My esteemed Friend Sri Balasubramanya Ayyar gave statistics of land holdings in the State. I am grateful to him for the figures which he has furnished. It will be found that the percentage of the people who hold lands paying less than Rs. 10 as kist is so large that actually the problem is not likely to be of very serious consequence to the vast majority of the people in the State. Actually, the percentage of the people who are likely to be affected by the fixation of ceiling will be so small that it will not create such a cataclysmic consequence as many of the hon. Members of the Opposition rather felt, would follow, as a result of this policy. Sir, I hesitate to use a stronger expression. Sir, the general approach to this problem is based purely on the economic policy of the Government in respect of land, in respect of other occupations and in respect of amelioration of the condition of the people at large. I do not pretend that the entire State is behind the Government in this matter. I am well aware that a section of the people are opposed to this reform. But if we analyse the Opposition, it largely springs from a fear that any disturbance of the existing order of society is likely to cause very serious consequences to food production and that the problem of feeding the people will become very difficult and very onerous.

Sir, the small holdings do not themselves produce the necessary food in the State. My esteemed Friend Sri Balasubramanya Ayyar said that in Japan, small holdings had been able to produce very much higher yield than what our State had been able to do. All these years, the people of our State have had small holdings and they have never been able to emulate Japan and produce the necessary quantity of food. (Interruption.) For whatever reasons it might

11th February 1959] [Sri R. Venkataraman]

be, the fact remains that people who hold small and fragmented holdings in this State and in this country have not been able to provide the necessary food and if we have to tackle the food front, also it is necessary that these small and fragmented holdings should be brought together so that food production may be improved in the State. There are various ways in which this problem has been tackled in other countries. In certain countries they have formed "Gigants", that is, large-scale farming tracts of 50 miles in length and 40 miles in width, and they have mechanised them under State control and State ownership. We are not contemplating such a radical change at all in the pattern of our agriculture or in the pattern of our holdings. The next alternative would be to bring all these people within the co-operative fold so that credit facilities may be made available to them under the co-operative method of cultivation necessary technical assitsnace and skill may be provided through these organizations, the fragmented pieces of land may be held together, sufficiently large to produce an economic unit for cultivation; and in this endeavour we have not much precedent to go by. I agree that we have not so far succeeded in having a very large number of co-operative farming societies. But that does not by itself mean that the experiment is not worthwhile. Unless we have some other alternative which can go to solve the problem of food in this country and unless we are able to find some other method by which the fragmented pieces of land can be brought together and brought under cultivation under one management, the only alternative that offers itself to the Government is to resort to the well-known method of co-operation whereby small pieces of holdings can be brought together and cultivated under proper supervision and proper skill.

Sir, in this connexion, Government are well aware that it is no easy task. In fact, Government have very serious difficulties to encounter in bringing about this great change in the pattern of holdings. But merely because we have difficulties, we cannot stop short of doing something which is so necessary for the welfare of the people of our State and our country.

We were cautioned by the elder statesman, Dr. Mahomed Usman, that we should hasten slow in this matter. I am not sure that as soon as the land ceilings are proposed, immediately, overnight Government will be able to form co-operatives all over the State and plunge the whole country into a new method and system of cultivation and that we will have an El Dorado overnight. We are not pretending that any such thing will happen. Naturally, we will have to proceed slow in this matter of forming co-operatives in the various places and trying to help them to tackle problems which may be created as a result of the new experiment we are making. While I assure that Government would take every care to see that there is no serious unsettlement in the economy of this country as a result of the adoption of this policy, I would only re-emphasise that the Government stand committed to this policy of fixation of ceiling on land.

[Sri R. Venkataraman] [11th February 1959

3-39 p.m. The hon. the Leader of the Opposition said that it was a pity that the Opposition was not consulted in important matters like this. Sir, you are aware so far as the Madras Government are concerned, not only do we inform the Opposition of very many matters in which common interests are involved but we take them into active consultation at every stage. But there are some occasions on which it would not be possible to take the Opposition into consultation in framing policies, economic policies of the Government. The well-known difference lies in the foreign policy of a country and the economic policy of a Party. Usually, the foreign policy of a country is treated as a bipartisan policy where both sides take active interest and part in the formulation of the foreign policy. But, in the case of economic policies of the particular Party in question, the Party has to take the decision and stand or fall by that decision. Here the decision of the Party is that land ceiling should be fixed and that the surplus land should be transferred for co-operative cultivation. This is a decision by which we as Party have to stand or fall at the next election. After this policy has been adopted, it would be quite possible for Government to take into consultation all sections of opinion for the purpose of efficiently carrying out the policy and to see that all the hurdles are smoothened or removed and that in the administration the difficulties are solved. But in the enunciation of the policy itself the responsibility cannot be shared with others and such a sharing of responsibility would amount to only shirking of responsibility. I am quite sure I cannot ask my esteemed Friend Sri Balasubramanya Ayyar to come and support me in saying that there should be a ceiling on land holdings. (Sri A. M. Allapichai : In course of time, he will offer support.)

Then, with regard to the manner in which this decision was taken, the hon. the Leader of the Opposition had some caustic comments to make. He said that Madras should not become the leader in obeying mandates. In this as in many other things, Madras had rather led than obeyed mandates of other States or other people. In most of the things that Madras has done, it has given the lead to the other parts of the country. In this matter also the Party at its convention discussed the question. It is but democratic that during the discussion Members holding different points of view should put them forward for consideration within their own Party. To say that one Member of our Government took one view at Hyderabad and another view at Nagpur is only to ignore the basic principle of democracy where people do have to put forward their different points of view for the purpose of arriving at something which is acceptable to all.

The Hon. Sri C. SUBRAMANIAM : I owe a personal explanation because it was mentioned here that I took one point of view in Hyderabad and another point of view at Nagpur. It is completely wrong altogether. What I stressed in Hyderabad was that we should not break up the existing big holdings. I did not say that they should be left with the landowners themselves but that only big holdings could produce results and that, therefore, whatever step

11th February 1959] [Sri C. Subramaniam]

we might take, it should be with reference to the creation of big estates rather than breaking up the existing big estates. With reference to that, I said that a formula should be evolved. I am glad that with reference to that, I was able to offer a formula and that that has been accepted. Therefore, there is no question of my going back upon the views I expressed at Hyderabad. On the other hand, my views have been accepted. It is on the basis of those views that the present policy has been framed.

* THE HON. SRI R. VENKATARAMAN : Now, the whole thing is set at rest. I was going to say that this idea of co-operative cultivation of the surplus land was itself a lead which was given by the Madras Government. Therefore, we have every reason to be proud rather than feel ashamed of anything that we did anywhere. The position finally boils down to this. The Members representing different points of view met at a committee. At the committee it was suggested that after the ceiling was fixed, the surplus should be formed into a co-operative and that it should be a service co-operative to start with so that the people might still continue to hold the land but would come together for the purpose of having common services, common facilities and so on and that if, after some years of experiment, they feel bold enough or strong enough to come forward to have joint farming, then they might try. All my endeavour is, therefore, only to show that this is not going to create such a serious unsettlement in this country as a result of following this policy. Actually, the persons who are now working under some landlord would still be working on the same land but under a co-operative. Actually, there is only a legal, technical shift or change and very little of physical changes. It is only physical changes that bring about chaos and physical changes of a large magnitude will certainly bring about greater confusion. But in the way in which things are now contemplated there will be very little of shift of persons and very little of physical changes with the result that the policy is not likely to create any difficulties. On the other hand, we have every hope that the new policy which we inaugurate will usher in an era of plenty and prosperity, that the persons who are engaged in it would be enthused to do better work and that the production of food in this country would go up to meet at least the needs of our own pepole.

Sir, allied to this question is the question of food prices. A number of hon. Members commented very severely on the increase or rise in prices. The rise in prices, as you are aware, may be due to two factors. One is the shortage of supply of the commodity. The other is based on the general rise in the trend of prices throughout the country consequent on other economic factors like larger investment, greater credit facilities, tempo of activity and so on. It is my submission that the general trend in the rise of prices is due to the tempo of activity in this country, the heavier investments caused by the intensive execution of the Second Five-Year Plan, and that it is not as a result of any serious shortage that has occurred in this State. Hon. Members asked the question how it was

[Sri R. Venkataraman] [11th February 1959

consistent with reason that while the Food Minister continued to say that production had increased in the State, the prices were still rising. If you understand the distinction between a rise in prices caused by shortage of commodities and a rise in prices brought about by greater investment and tempo of activity, we could easily find that they are both reconcilable and true. In this case, I have a few figures which might allay the doubts and fears of the hon. Members of this House. Actually, the production in the year 1957–58 of rice is 32·34 lakhs of tons and 1956–57 it was 31·03 lakhs of tons. Similarly in millets, there has been an increase of 1.5 lakh tons. The overall total for 1956–57 is 46·22 lakh tons. In 1957–58, it
3 40 p.m. was 49·20 lakh tons. Therefore, the figures that we have with us go to show that there has been no decrease in the production of food in the State. On the other hand, there is a very healthy trend towards increase in food production, and it is not as a result of any decrease in production that this situation has arisen. On the other hand, it is because of the tempo of activity in the State. I am also aware that, to some extent, the increase in population offsets the increase in food production. But, in my opinion, it is not so much the increase in population as the tempo of investment and economic activity that is mainly responsible for the higher trend in prices not only in agriculture but in every other sphere of activity.

Then, Sir, certain alarming figures were given by my esteemed Friend Sri Srinivasavaradan that prices were going up, and that if this increase in prices was not tackled, very serious consequences would follow. Sir, the figures do not justify such an apprehensive outlook. The figure for September 1958 at Cuddalore was Rs. 20 per bag. In October it was Rs. 21. In November it was Rs. 21. In December it was Rs. 20. In January it was Rs. 20·35. Therefore, there has been a fairly steady price level in respect of food, but I know that the retail prices are going up owing to various other factors including speculation. Sir, the moment the Government said that there would be some sort of a control, everybody had started sitting pretty and holding tight to the stocks. I am told that even the Andhra dealers are not willing to sell now, because they think that they are not obliged to sell at the particular price fixed by the Government. The Government have not taken steps to fix the retail price because it would be very difficult now to do it at this stage. The idea is that Government would procure about two lakhs of tons of rice and, as and when the situation demands, release it so that the prices charged by all other private dealers may be brought down to the level at which the Government issue will take place Actually out of 32 lakhs tons of rice, which is produced in this State, only about ten or twelve lakhs of tons enter the market. The rest is all consumed at the place of production, and it is seldom brought for sale. If we are able to procure two lakh tons out of this ten or twelve lakh tons, it would give us a sufficient stock for the purpose of meeting an emergency. Therefore, we have every hope that the situation can be handled by Government by releasing the stock as and when the prices show a tendency to go up abnormally.

11th February 1959] [Sri R. Venkataraman]

Then, Sir, there was criticism regarding the grant-in-aid in respect of the elementary schools. My esteemed Friend Sri G. Krishnamoorthy said that it was against the Constitution to charge fees in elementary schools. Article 45 of the Constitution does not say that no fee should be charged for elementary education. All that it says is that elementary education should be available and should be made free and compulsory. Sir, by providing free primary schools, the Government would be satisfying the Constitution. I do not think I need take much time over this. But the hon. Member was referring to another more important question, that is, the question of the closure of schools in Madras and other places consequent on the order issued by the Education Department. My Friend knows that long ago, the Alagappa Chettiar Committee recommended that no fee should be charged in elementary schools. It is in pursuance of this recommendation that Government have been taking various steps, and ultimately they issued the order in November 1958 saying that if the aided primary schools wanted to charge fee, they would not be entitled to the grant and assistance. But if they converted themselves into free schools, they would be entitled to the grant and assistance according to the pattern to be decided. My Friend said that as a result of this policy, a number of schools would be closed and that the children would be deprived of education. Sir, we have some figures in regard to the number of elementary schools in the State. In 1956-57, the total number of elementary schools in the State was 20,946, of which 1,351 were under Government. Twelve thousand seven hundred and sixty-eight schools were under local bodies and 6,827 schools were under private agencies. Of these, 900 aided elementary schools alone levied fees, and about 150 of them are in Madras City. Therefore, the problem reduces itself to very, very small proportions. The Hon. the Minister for Education in the other House reiterated that the Government would be able to give education to every child should there be any closure of the aided elementary schools. He also gave the assurance that the teachers would be absorbed in the various institutions that would come up as a result of the closure of the elementary schools. Therefore, I beg to submit to this Hon. House that there is really no case at all for apprehension that our educational system is breaking down or that we are going to face a great crisis in the elementary education of our children.

Sir, the other matters are all comparatively of smaller significance. Reference was made to the needs of the Non-Gazetted Officers. One hon. Member, Sri V. V. Ramaswami, said that they should be given a minimum of Rs. 100 (Sri V. V. Ramaswami : Basic). The Government are not keen on sweating anybody much less their own employees. But every good intention has got to be supported by the capacity to perform and discharge it. At present, our position is not so good as to be able to afford what we think is their legitimate due. The Government do not, for a moment, contend that the salaries that are paid to the Non-Gazetted Officers are adequate or that they are being treated very liberally or that

[Sri R. Venkataraman] [11th February 1959

they have no cause for complaint. But all that Government have been trying to show to the Legislature as well as to the country is that in the existing context of events of our finances, it has not been possible to do much more. The Government have also pointed out that in the general economic development of this country, emphasis has naturally to be laid on schemes of rural development, on extension of electricity, on the establishment of cottage and village industries as much, if not more than, on the increase of the emoluments of their own employees. In a fair distribution of
3-50 p.m. the resources of this State, the Government have been able to afford an increase of Rs. 5 in dearness allowance. That is a pointer that as and when the Government are able to give more, can afford to give more, they will always be willing to do so. In this connection, I want to emphasise that the appointment of a Commission under Sri Ramunni Menon should be welcomed by all people. There is a lurking feeling that the presiding officer should have been a Judge instead of an Executive Officer, a retired Executive Officer. But, so long as the functions which have been entrusted to the Chairman are such that he has to exercise a certain amount of independent judgment and so long as the person who is entrusted with that task is aware of it, it matters very little what office one had previously held. So far as the particular person is concerned, it is well-known that he has the greatest sympathy for the people who had been serving him when he was in office. Therefore, I do not think it is necessary for either the Non-Gazetted Government servants or for others to lay too much stress on the personnel of the Commission.

SRI MOHAMED RAZA KHAN : Sir, with your permission, may I interrupt the Hon. Minister so that he may also have some rest? If really Sri Ramunni Menon is so sympathetic towards the Government servants, as was pointed out by the Hon. Minister just now in the House, are the Non-Gazetted Officers so foolhardy and unwise as to oppose his appointment? What are the reasons for their opposition? The Hon. Minister must know the reasons why his own employees are opposing the appointment of Sri Ramunni Menon on the proposed Pay Commission. We would like to know what those reasons are.

* THE HON. SRI R. VENKATARAMAN : As for the reasons which impelled them to criticise the appointment of Sri Ramunni Menon, I think the question should be addressed to them. But, I can say that there is no foundation for that criticism. Because, knowing as we do the type of officers who have held these positions—Sri Ramunni Menon has been a member of the Indian Civil Service and has been a distinguished member of it—we are aware that they have always discharged their duties without fear or favour. Therefore, I thought that the objection was not well-founded. If the hon. Members of the House are convinced that the objection is not well-founded, I have absolutely no doubt that the Non-Gazetted Government Officers will also begin to think in the same way.

11th February 1959]

SRI A. GAJAPATHY NAYAGAR : What about abolishing the system of confidential files?

* THE HON. SRI R. VENKATARAMAN : Now, I come to the very small question of holding the meetings of the Legislature in Ootacamund. I want to make it very clear to the House that the Government were not anxious to move to Ooty. In fact, the Government felt that the difficulties and inconvenience of meeting in Ooty far outweighed the advantages thereof. But, at the same time, a democratic Government has to yield generally to the wishes of a large section of the legislators as well as the people. It is well-known that Ooty has been one of the prides of India. In fact, it has been called the 'Queen of Hill Stations' in India and everyone knows that it is now slowly withering because of lack of attractions there. I know that the people do not even go and spend their time in Ooty nowadays because there is not the company of those they used to have in that place in the past. What shall we do to improve a beautiful place like this? What we should do to improve the various health resorts is a question which was discussed by the Members of the Legislature and others. I want to put it squarely, Sir, that in agreeing to meet in Ootacamund, the Government have actually yielded to the desire of a large section of the Legislature rather than decided of their own volition. I do not think it is such a bad decision or such seriously wrong decision as to be raised in debates. (Interruption). I said it was a beautiful place and I did not say 'beauty'.

Sir, the hon. Member Sri Patanjali Sastry, in the course of his address, drew the pointed attention of the Government to the lack of medical facilities in the State and he said that many of the rural dispensaries were now left without any medical assistance. The Government are very keenly aware of the difficulties in this regard. In fact, it has not been possible for us to find enough doctors to man the primary health centres. I have myself tried to open a number of these Employees State Insurance hospitals. Even that scheme has been delayed on account of lack of qualified and trained doctors.

DR. A. SREENIVASAN : Sir, may I know whether the Government have examined the reasons why they were not able to attract properly qualified men to man the rural dispensaries, especially when so many Graduates are being turned out every year?

* THE HON. SRI R. VENKATARAMAN : Sir, there may be some reasons or other for each person. I do not think that there can be a general statement or general reason for all of them. Some people may prefer to remain in the City and so, they may not like to go to the villages. Some people may not be attracted by the salaries offered there. Some people may have various other reasons. But, the suggestion made by the hon. Member was that in order to meet this deficiency, it should be possible for the Government to consider the question of having Homoeopathy taught regularly in an institution and qualified and trained doctors prepared in these

[Sri R. Venkataraman] [11th February 1959

institutions and made use of for these purposes. During my talks with my Colleague the Hon. the Minister for Health, I understood that the Government had a scheme for recognizing the institution of Homoeopathy. So, the matter is under the active consideration of the Government and I am quite sure that Madras will not lag behind other States which have tried to have colleges of this kind and which have provided opportunities in this regard.

SRI V. V. RAMASWAMI : நீங்கள் எங்கே ஆரம்பிக்கப் போகிறீர்கள் ? நாங்கள் ஆரம்பித்தால் உதவிசெய்வீர்களா என்று சொல்லுங்கள் ?

* THE HON. SRI R. VENKATARAMAN : Yes, Sir, the Government are not opposed to it and we will do everything to encourage it.

SRI A. GAJAPATHY NAYAGAR : Are the Government thinking of integrating Homoeopathy in the College of Integrated Medicine?

* THE HON. SRI R. VENKATARAMAN : My hon. Friend Sri Gajapathy Nayagar will please put in an interpellation based on the statement which I am making.

I have fairly dealt with the major points. As I said just now, I do not desire to go into the details of the various other matters that have been raised in the course of the debate. We would very much desire to get the approval of the House for the policies put forward before it. I am grateful to the hon. Members of this House for the kindness they have shown me and I trust that in the years to come we will have the utmost co-operation of all sections of the House in carrying out the trust which the people have placed in us. Thank you, Sir.

MR. CHAIRMAN : Mr. Raza Khan, are you pressing your amendment?

SRI MOHAMED RAZA KHAN : Sir, the request for withdrawing the amendment should come from the Government.

MR. CHAIRMAN : I did not ask the hon. Member to withdraw the amendment. I only wanted to know whether he was pressing his amendment.

* THE HON. SRI R. VENKATARAMAN : With your permission, Mr. Chairman, I now formally request the Whip of the Opposition to be good enough to withdraw his amendment. I thought that he was so happy after my speech and that he felt convinceed, but I am sadly mistaken. Nor, I am requesting him to withdraw his amendment.

SRI MOHAMED RAZA KHAN : While I do not agree that the Hon. Minister's reply was completely satisfactory, as the tone of his reply was tolerable, I formally do not press my amendment.

The amendment moved by Sri Mohamed Raza Khan was, by leave, withdrawn.

11th February 1959]

MR. CHAIRMAN : I shall now put the original motion to vote. The question is—

" That an humble Address be presented to the Governor that the Members of the Madras Legislative Council thank him for the Address delivered to the Members of the Legislature on the 4th February 1959."

The motion was put and carried.

III.—GOVERNMENT BILL.

THE TIRUCHIRAPPALLI KAIAERUVARAM AND MATTUVARAM BILL, 1958 (L.A. BILL NO. 25 OF 1958).

MR. CHAIRMAN : The Hon. Mr. Manickavelu will now move the Tiruchirappalli *Kaiaeruvaram* and *Mattuvaram* Bill, 1958. 4 p.m.

* THE HON. SRI M. A. MANICKAVELU : Sir, I move—

" That the Tiruchirappalli *Kaiaeruvaram* and *Mattuvaram* Bill [a], 1958 (L.A. Bill No. 25 of 1958), as passed by the Legislative Assembly, be taken into consideration."

The Madras High Court has held that *kaiaeruvaramdars* and *mattuvaramdars* in Tiruchirappalli district engaged by landlords to work on land for remuneration by a share in the crop on such land are not " *cultivating tenants* " within the meaning of section 2 (*a*) of the Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955). The definition of " cultivating tenant " in the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956 (Madras Act XXIV of 1956) is similar to that in Madras Act XXV of 1955. It was considered that these varamdars in the Tiruchirappalli district should get the benefits which the cultivating tenants were getting under these two enactments. With a view to achieve this object, an Ordinance called the Madras Cultivating Tenants Protection and Payment of Fair Rent (Amendment) Ordinance, 1958 (Madras Ordinance I of 1958), was promulgated on 5th January 1958. In February 1958 a Bill to replace the Ordinance was introduced in the Legislative Assembly and was referred to a Joint Select Committee.

The Joint Select Committee considered that the Bill might be dropped and a new Bill introduced for giving effect to the following purposes :—

(1) The *kaiaeruvaramdars* be treated on a par with " pannaiyals " and their rights protected, as in the Tanjore Panaiyal Protection Act, 1952 (Madras Act XIV of 1952).

(2) The small landowners owning three acres and less and without any other means of livelihood and who do not pay sales tax or income-tax be completely exempted from the provisions of the Act.

---

[a] Printed as Appendix II on pages 252–258 infra.

[Sri M. A. Manickavelu] [11th February 1959

(3) In the case of landholders owning up to ten acres, they should be entitled to resume lands up to three acres for personal cultivation and lands not so resumed be pooled and divided among the *mattuvaramdars* in case the interests of any of them are prejudicially affected.

(4) In the case of those who own more than ten acres, *mattuvaramdars* be raised to the status of cultivating tenants with the rights and liabilities of cultivating tenants under the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956.

(5) Retrospective effect be given to the proposed legislation from 1st January 1957.

(6) The terms '*kaiaeruvaramdar* and '*mattuvaramdar*' be defined so as to bring out their status clearly; and

(7) The proposed legislation be made applicable to those villages in the Tiruchirappalli district where this peculiar tenure is said to be in force.

The Bill was accordingly dropped. The Ordinance also lapsed.

The present Bill gives effect to the suggestions of the Joint Select Committee, with certain modifications. In the matter of sharing of crops under the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956; it is felt that retrospective effect would lead to difficulties and, therefore, it is proposed to give effect from the date of the commencement of the proposed Act. But as regards protection under the Madras Cultivating Tenants Protection Act, 1955, provision has been made for reopening cases disposed of on or after 1st January 1957 and before the commencement of the proposed Act.

The Assembly has made certain changes in the Bill. The important changes made are the following :—

(1) Clause 1 has been amended so as to bring the proposed Act into force with effect from 1st April 1959. The reason for the amendment is that the proposed Act should not come into force in the middle of a cultivation season. Under the *mattuvaram* system, the landowner incurs expenditure on seed and manure. But under the Fair Rent Act, the cultivation expenses, inclusive of the cost of seed and manure, are borne by the cultivating tenant. As the landowner would have already incurred expenditure on seed and manure, if the *mattuvaramdar* attains the status of a cultivating tenant before the harvest, the landowner may claim from the *mattuvaramdar*—cultivating tenant—not only the 40 per cent rent but also the expenses incurred on seed and manure. This may lead to disputes as to what expenditure was actually incurred by the landowner. To avoid such disputes, it was considered better to postpone the introduction of the Act till after the harvest of paddy and at a time when there will generally be no crop on the land. Hence the amendment to bring the Act into force with effect from 1st April 1959

11th February 1959] [Sri M. A. Manickavelu]

(2) In clause 3 of the Bill as introduced in the Assembly, read with Schedule II thereof, the remuneration payable to *kaiaeruvaramdars* was specified. It was pointed out that the remuneration specified in the Bill was different from the actual remuneration paid in several of the villages to which the proposed Act will apply and that it would, therefore, be better to provide that the remuneration would be on the same terms as were applicable to the *kaiaeruvaramdars* immediately before the commencement of the proposed Act. Clause 3 has accordingly been modified and Schedule II omitted.

(3) *Clauses 5 and 6.*—These clauses have been amended so as to provide that any order for re-engaging any *kaiaeruvaramdar* or *mattuvaramdar* shall, in respect of any land where there are standing crops on the date of such order, take effect immediately after the harvest of such crops.

(4) *Clause 9.*—In clause 9 of the Bill as introduced in the Assembly, it was provided that a landowner who owns not more than three acres or ten acres of wet land, could terminate the engagement of any *mattuvaramdar* if he (the landowner) had not been assessed to any sales tax, profession tax or income-tax and also subject to certain other conditions. It was represented that unless the reference to "profession tax" was omitted, most of the landowners owning not more than three acres or ten acres of wet land would not be entitled to terminate the engagement of *mattuvaramdars* and that this would cause hardship to them. Hence, the reference to "profession tax" in this clause has been omitted.

I request the House, Sir, to accept the motion.

MR. CHAIRMAN : Motion moved—

'That the Tiruchirappalli *Kaiaeruaram* and *Mattuvaram* Bill, 1958 (L.A. Bil No. 25 of 1958), as passed by the Legislative Assembly, be taken into consideration.'

SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, this Bill, from its very title, is not understood by many people. The Governor in his Address could not pronounce the word '*kaiaeruvaramdar*' and even people who sometimes attend to matters connected with these varams are not able to understand what we mean by *Kaiaeruvaramdar or mattuvaramdar* because it affects only certain taluks of Tiruchirappalli district very seriously. While the consequences are very serious in those places, here in Madras it does not seem to attract much attention. We in the Legislature cannot afford to neglect anything. When we pass a Bill, we do so with a sense of responsibility and so, this Bill has had a very chequered history. It was first a case of Ordinance which was not thought of properly. It was not couched in proper language and the incidence was entirely misunderstood. Een at that time there was a decision in the High Court of Madras which was pending appeal to a Bench. That decision went into the whole question very thoroughly on the basis of the admitted evidence in the case and the facts about the duties of *kaiaeruvaramdar* and *mattuvaramdar*.

Those duties were categorically stated in the evidence. The High Court came to the decision that section 2 of the Cultivating Tenants Protection Act and the Fair Rent Act would not apply to these people as they were not cultivating tenants. The Ordinance was issued at a time when the Legislative Assembly was not in session and at a time when the decision of the High Court was pending appeal to the Bench. In spite of this, the Ordinance stated that the *kaiaeruvaramdars* and *mattuvaramdars* would be considered tenants under the Cultivating Tenants Protection Act and the Fair Rent Act. These two tenures if I may call them tenures because they are not tenures, or systems were obtaining in a large number of places in the Tiruchirappalli district and it was acquiesced in peacefully and happily by both the landowners and these two varamdars. But suddenly on account of the change in the conception of justice, the conception of social pattern of society to which
4-16 p.m. the Hon. the Leader of the House also referred and also due to the active agitation of the Communist Party in our country, the state of things in those parts was disturbed suddenly. These varamdars were said to have woken up to their rights and felt that they were being treated very badly for long and for many years. Therefore, there was a serious breach of peace and various incidents occurred there. There was a Collector of the District who happened to take sides. Though he belonged to the permanent services, he had a policy of his own and the High Court had to make in its judgment a very serious remark about that Collector. They even recommended that he should no longer be responsible for law and order in the district. But no action was taken. In fact, I specifically referred to it in the Legislative Council. No reply was given by the Government. That Collector has now quietly retired and I think he has now become a landowner. Therefore, now his opinions are quite different. (Interruption) Yes, he is a landowner. But that is what happens. It is only by the way and it has nothing to do with the Bill. My point is, without appointing a proper committee to investigate matters especially when the system had some peculiar incidence in a particular portion of a district in the State, the Government came forward with an Ordinance. It is only fit and proper that the Government should have made the necessary investigation into the matter. It was postponed to the time till a Joint Select Committee was appointed to consider the Bill. At that time, they sent a Member of the Board of Revenue to investigate the matter in the course of a week because the Joint Select Committee was sitting and all the Members of the Committee including the Members of the Congress were convinced of the justice of the case of the small landowners of that part of the country and they raised various points in the Joint Select Committee by which it was shown that the Communist Party agitation was entirely responsible for the situation in that part of the district and that there was not much of substance behind all the allegations made by these varamdars. Therefore, Government took the step of sending an officer immediately to investigate. My grievance is that that officer had not

11th February 1959] [Sri K. Balasubramanya Ayyar]

much time before him. He did his best in the circumstances. The officer was a Member of the Board of Revenue, a responsible officer. Therefore, I have nothing to say against him. He did as much as he could. He camped in the Travellers' Bungalow, called a number of people, quickly investigated into the matter and sent his report. That report was treated as a confidential report and, therefore, only parts of that report were read out to the Members of the Committee. Nothing was given to us. Upon such a consideration, the final conclusion was that the Bill should be dropped. Even that Member of the Board of Revenue who went into the matter came to the conclusion that the *kaiaeruvaramdar* could never be called a tenant. He is only a person who puts his hand to the plough. Even the Hon. Chairman will now understand the term '*kaiaeruvaramdar*'.

MR. CHAIRMAN: Yes.

SRI K. BALASUBRAMANYA AYYAR: He is a person who is given a share of the produce, that is, the 'varam'. A share of the produce is given as remuneration for work done and that is called 'varam'. A person who puts his hand to the plough and does that work, is given a 'varam' by the small landowner. That is the position. That is why he is called a '*kaiaeruvaramdar*'. *Mattuvaramdar* is a person who is asked to supply bulls because the small landowner has not got sufficient capacity to purchase bulls. Bulls are costly nowadays. The prices are going up not only in the case of foodgrains but also in the case of bulls. The prices of bulls have also gone up and this is a matter which we should remember so far as agricultural economy is concerned and which we sometimes forget. The bulls have become costly and the small landowner is not able to purchase them. Therefore, he calls the other person who has got bulls to work for him. Therefore, the person who has got bulls works for a short period in the year for the landowner and he works for other landowners also for the rest of the year. He goes from one place to another, taking his bulls just like a motor-car or a jutka. So far as the report is concerned, the Government said that the '*kaiaeruvaramdar*' was never a tenant but that there was some doubt as regards the '*mattuvaramdar*' as to whether he could be approximated to a tenant or not. Because there was the doubt, Government came to the final conclusion that so far as the '*kaiaeruvaramdar*' was concerned, he could never be considered a tenant though the Ordinance spoke of him as, or deemed him to be, a tenant. The Joint Select Committee accepted the view that the *kaiaeruvaramdar* could not be deemed to be a tenant and, therefore, the High Court decision was also commended so far as that type of varamdar was concerned. But so far as the '*mattuvaramdar*' was concerned, a curious product arose out of the deliberations of the Committee and that is this. From being a farm servant of the landowner he slowly became a tenant as the extent of the land owned by the landlord increased. If the landowner had only three acres, the '*mattuvaramdar*' might not have any right. If it was ten acres, he became

[Sri K. Balasubramanya Ayyar] [11th February 1959

an aggressive '*mattuvaramdar*'. If the landowner had ten or more acres, the *mattuvaramdar* became a cultivating tenant. In proportion to the extent of land owned by the landowner, the *mattuvaramdar* became a tenant. That was the suggestion made by the Government, we were asked to accept that at the Joint Select Committee and the Bill has now come before us. I do not know whether that position would be changed to-day. I have no hope that it will be changed. Therefore it is that I do not want to embark strongly upon that. The Bill has been passed in the Assembly and it has now come here. It is too late in the day to fight over a principle which has already been adumbrated in the Bill though I can never be convinced that it is the proper way to proceed at all in these matters. Therefore, I leave it at that.

But there are other important matters also to be taken into consideration in this connection. The system of *mattuvaramdars* obtains only so far as the wet lands are concerned and that is accepted. I do not think there has been any suggestion that this system obtains in any other part of the State. There are some taluks, fertile portion of the district, bordering on the great river Cauvery where they grow crops such as sugarcane, betel, plantains and so on. Tiruchirappalli plantains are famous. So also the betel grown there is of the best quality. On account of the establishment of sugarcane factory near the Railway Station at Pettaivaithalai, a large number of small landowners have registered themselves as cane growers. If you go into that part of the district, you will find beautiful crops of sugarcane coming up. So far as these crops are concerned, there can be no suggestion regarding the existence of such a system as *mattuvaram*. So far as plantains are concerned, you need not plough. It goes on for years. There is no question of ploughing in those places.

SRI O. P. RAMASWAMI REDDIAR : Ploughing is necessary before planting.

SRI K. BALASUBRAMANYA AYYAR : Spade-work is necessary. I know it. I have raised plantain crops, and I should, therefore, be credited with possessing some knowledge about all these things. There the lands require very little ploughing and they are near the riverside. Therefore there is no such system as *mattuvaram*. So also is the case with betel. The landowners have to put in thousands of rupees to raise these crops and they have also to work. They never had this problem of *kaiaeruvaramdars* and *mattuvaramdars*. Therefore, the Government have to put in some provision in this Bill itself and guard them from being affected by the provisions regarding these varamdars, because in the interregnum many doubts have been raised. In this connexion, I may
4-20 state that I have always appreciated the very conciliatory attitude
p.m. of the Hon. the Revenue Minister in regard to this whole matter. Whenever representations have been made to him and whenever difficulties have been pointed out to him, he has always shown a tendency to appreciate them and to see whether those complaints and grievances could be redressed. But still there is the overall

11th February 1959] [Sri K. Balasubramanya Ayyar]

policy. There is also the difficulty of their having entered into this matter. They have been rather led into this matter and, therefore, they cannot come out of it. As our beloved Prime Minister has stated, we are in the mid-stream and we must go on. Otherwise, we will be drowned completely. They were in the mid-stream when the Ordinance was issued and they had to proceed, and the whole thing took shape in the form of this Bill. But we have to realise that between 1957 and 1959, these lands have been leased out or transferred to people and ryots have registered themselves for cultivation of lands other than wet lands. This system should not be forced on them and it cannot be enforced because it does not obtain there. But there is a provision in the Bill which provides for re-engagement if a *kaiaeruvaramdar* or a *mattuvaramdar* is discharged from his duty between 1st January 1957 and 1st April 1959 and if he wants to come in. This provision has to be carefully looked into as otherwise it will affect the sugarcane industry and also other crops like betels and plantains. I shall draw the attention of the Government to this aspect of the matter when clause-by-clause consideration takes place.

Sir, I do not want to repeat but I can say that even after the passing of the Ordinance and after the Bill has been considered, people have acquiesced in the whole thing and that there is now peace in that portion of the State. Therefore, if this Bill is passed, again fresh troubles will arise due to the interpretation of the Act by the Revenue Divisional Officer, the Tahsildar and so many other people. The only appeal I would make to the Government is to see that the officers do not pursue a policy of their own and do not themselves give rise to various breaches of the peace by giving different interpretations in favour of one side or the other. The Government should act impartially and well so that the peace which reigns in that particular locality may continue for some more time. It is a place which is fairly fertile and production also will be seriously hampered if there is disharmony between the landholders and others. Most of the landholders in that portion of the State are very small landholders. Most of them do not have even ten acres of land. Their extent of land ranges from three to ten acres. Therefore, they are as much in the position of poor tenants as the other people. Much sympathy is shown to the landless labourer and also to the poor tenant but no sympathy is shown to the small landowners who are akin to these people. I cannot understand why in the socialistic pattern of society they have no place. I have never been able to understand the logic behind all these things. A small landowner is a person who is as much entitled to social justice as any other person. Therefore it is that I appeal to the Government and also to this House to take full responsibility and see that peace reigns in that particular portion of the State and we do not do anything to disturb it.

I am very glad to see one important change made in the Assembly, to which reference had been made by the Hon. the Mover of the Bill when he moved it for consideration. Otherwise,

remuneration shall be payable to the *kaiaeruvaramdar* for his work, as specified in Schedule II. That would have created a lot of confusion. Fortunately, the provision that it ' shall be on the same terms as were applicable to him immediately before the commencement of this Act was made. I am very happy that this amendment has been accepted by the Government and that makes this Bill much less harmful than it would otherwise have been the case. The Hon. Minister readily accepted it when it was pointed out by many Members including some Congress representatives from that area. I do not see my hon. Friend Mr. Arunachalam who took a special interest in this particular matter. He was fully convinced that justice was more on the side of small landowners than on the side of other people, who had established Sanghams. It is the Secretary of that Sangham that writes petitions and even appears in the court. It is an accepted fact and it has been stated so in the evidence. The poor *mattuvaramdar* does not know what his rights are. He is very happy with his landholder. Now, some people say that he has got rights. So, what I am saying is that the change made regarding payment of remuneration is a welcome change. If you have understood the full implications of it, then you would have appreciated it well. The deletion of the schedule is a great thing.

There are one or two other minor matters but they do not matter. My point is that sugarcane crop or betel crop should not be affected. I think the Hon. the Minister for Industries has been presented with a memorandum in respect of this matter, by a representative of Messrs. Parry & Co. The Hon. the Minister for Home has also been approached. Of course, the Hon. the Minister for Revenue has been approached first. After 1957, on account of the increase in sugarcane cultivation and in view of the factory which has been established and to which sugarcane will have to be supplied, this matter assumes particular importance. Otherwise, the production of sugar will be affected and the foreign exchange earnings also will be affected. Therefore it is that I want to draw the attention of the Government to this particular aspect of the matter. I do not think that it has been sufficiently tackled in the Assembly and that is why I want to impress upon the Hon. the Minister for Revenue that the present clauses 7 and 8 will create trouble. I would suggest to the Government to make some modifications in respect of those clauses. Personally, I feel that this Bill is not necessary but since the Ordinance was issued, it had to be replaced by a Bill. Now, all of a sudden they have found that the *mattuvaramdar* working under a landowner owning more than ten acres of land can be assimiliated into a tenant.

4-30 p.m.

That is the principle which has now been accepted. As a lawyer, I know something of these matters and I do not think I can accept this. It is not a possibility. But nowadays, it is said that law, society and justice are the three changing things: law should adapt itself to the changing society, to the changing conception of justice, and lawyers are charged with conservatism. Sir,

11th February 1959] [Sri K. Balasubramania Ayyar]

I have passed an age when I cannot change. But I have got a receptive mind. Equally with the Leader of the Opposition, I have got a receptive mind. (Laughter). Thank you, Sir.

Sri A. GAJAPATHY NAYAGAR: மன்றத் தலைவர் அவர்களே, நண்பர் ஸ்ரீ பாலசுப்பிரமணிய ஐயர் அவர்கள் பேசியதைப் பாராட்டுகிறேன். ஆனால் அவர்கள் ஒன்று அறியவேண்டும் :

> " உழுதுண்டு வாழ்வாரே வாழ்வார் மற்றெல்லாம்
> தொழுதுண்டு பின்செல் பவர்."

என்று வள்ளுவர் கூறியிருக்கிறார். உழவன்தான் நாட்டின் அச்சாணி என்பதை ஐயர் அவர்கள் அறியவேண்டும். உழவன் யார் என்று பார்க்கலாம். " லாண்டுலார்டு " என்று சொல்லக்கூடியவன் தன் கையில் நிலத்தை வைத்துக்கொண்டிருக்கிறான். உழவன் என்பவன் ஏரைக் கையில் பிடித்து உழுபவனாவான். ஏரு கையில் ஏறினால்தான் அது பின்னர் நிலத்தில் ஏறும். அதைத்தான் கையேர் என்பது. கையேர்வாரந்தார் என்று சொல்லப்படுபவன், கையில் ஏரை வைத்துக்கொண்டு நிலத்தை உழுகிறான். நிலத்தை உழுவதற்கு ஏர் வேண்டும். அடுத்தபடியாக, அதற்குத் தண்ணீர் வேண்டும். இவ்விரண்டும் மட்டும் இருந்தால் போதாது. ஏரை இழுப்பதற்குக் கால்நடையும் அவசியம் வேண்டியிருக்கிறது. இந்த மூன்றும் உழவிற்கு மிகவும் அவசியமாக இருக்கிறது என்பதை ஐயர் அவர்கள் தெரிந்துகொண்டால், உழுவதில் எவ்வளவு சிரமம் இருக்கிறது என்பதைத் தெரிந்துகொள்வார்கள். ஆனால், இப்பொழுது மாடும் இல்லை, கால்நடையும் இல்லை. வாயும் வயிறுந்தான் இருக்கின்றன. உழக்கூடியவன் தன் சாப்பாட்டிற்கு எங்கே செல்வான் ? திருச்சிராப்பள்ளியில் காவேரி நதி பாய்கிறது. வண்டல் மணலும் வருகிறது. அங்கு உழுவது மிகவும் கஷ்டமான காரியமாகும். ஏர் பிடித்து உழும்போது, உழுகிற பக்குவம் தெரிந்திருக்கவேண்டும், நீர் கட்டும் பக்குவமும் தெரிந்திருக்கவேண்டும். கையேர்வாரந்தாரையும், மாட்டுவாரந்தாரையும் கட்டாயம் வேலை செய்ய வேண்டுமென்று சொன்னால், அப்பொழுது அவர்களுக்கு உரிமை வருகிறது. அவர்களின் இஷ்டப்படி வேலை செய்வார்களானால், அப்பொழுது இந்த உரிமை வருவதில்லை. இதை ஐயர் அவர்கள் உணர்ந்துகொள்ள வேண்டும். திருச்சியில் மாடு வைத்திருந்தால், அவர்கள் கட்டாயம் உழ வேண்டுமென்று இருக்கிறது. அப்பொழுது அவர்களுக்கு உரிமை வேண்டாமா ? கட்டாயம் ஏர் பிடித்து உழ வேண்டுமென்று சொல்கிறார்கள். அப்பொழுது அவர்களுக்கு உரிமை வேண்டாமா ? அந்தக் காலத்தில் ராஜாக்கள் இருந்தார்கள், ஜமீன்தார்கள் இருந்தார்கள். அவர்கள் மேல் வாரம் கொடுத்தார்கள், குடி வாரம் கொடுத்தார்கள், மக்களை அடிமைகளாகவும் கொடுத்தார்கள் என்று சொல்லப்படுகிறது. [4-40 p.m.] பின்னர், குடி வாரம் போய் மேல் வாரம் மட்டும் இருக்கிறது. எஸ்டேட்ஸ் லாண்டு ஆக்டில் ஏர் பிடித்து உழுபவன் குடிவாரந்தார் என்று சொல்லப்பட்டிருக்கிறது. இப்பொழுது இந்த மசோதா நம் முன் வந்திருக்கிறது. இதனால் ஒன்றும் கெட்டுப்போவதற்கில்லை. இந்தக் கையேர்வாரந்தார்களும், மாட்டுவாரந்தார்களும், **custom and usage** படி கட்டாயம் வேலை செய்ய வேண்டியிருக்கிறது. அப்படி அவர்கள் வேலை செய்யும்போது, அவர்களுக்கு நியாயம் வழங்க வேண்டாமா ?. நீதி வழங்கவேண்டாமா ? அதற்காகத்தான் இப்பொழுது இந்த மசோதா கொண்டு வரப்பட்டிருக்கிறது. நம் நாட்டில் நிலம் வைத்திருப்பவர்களும் நல்லவர்களாக இருக்கிறார்கள், நிலத்தை உழுபவர்களும் நல்லவர்களாக இருக்கிறார்கள், நம்மைப் போன்றவர்களும் நல்லவர்களாக இருக்கிறார்கள். மக்களுக்கு நல்லதைச் செய்வது நம் கடமையாகும். அதை நாம் மறந்துவிடக்கூடாது. ஆகவே, மக்களுக்கு வேண்டிய நன்மைகளைச் செய்ய நம் அரசாங்கம் முன்வந்திருக்கிறது. அப்படி நன்மைகள் செய்தும் வருகிறார்கள். ஆகவே, இந்தக் கையேர்வாரந்தார், மாட்டுவாரந்தரைப்பற்றி அதிகம் சொல்ல வேண்டிய அவசியமில்லை. அவர்களுக்கும் நியாயம் வழங்கப்படவேண்டும். நடைமுறையில் சில சிக்கல்கள் ஏற்படலாம். ஆனால் அவைகளைத் தீர்க்கவேண்டும்.

ஆர்டினன்ஸ் போடுவதைப்பற்றிக் குற்றம் சொல்லவேண்டியதில்லை. ஓய்வு பெற்ற ஆபீஸர்களைப்பற்றிச் சொல்லவேண்டியதில்லை. நல்லதொரு சட்டம் இங்கு கொண்டுவரப்படும்போது, பழைய பேச்சுக்களையோ அல்லது ஓய்வு பெற்ற ஆபீஸர்களைப்பற்றியோ குற்றம் சொல்வது சரியல்ல என்பதை நான் சொல்லிக்கொள்ள விரும்புகிறேன்.

அடுத்தபடியாக, ஏர் போட்டு உழுவது மாத்திரம் உழவல்ல. கையால் செய்யப்படும் வேலைகள் எல்லாம் உழவுதான். கரும்பு, வாழை இவை களைப்பற்றிச் சொல்லப்பட்டது. உழவைப் போன்று அவைகளுக்கும் தண்ணீர் கட்டுவது போன்ற வேலைகள் இருக்கின்றன. ஆகவே, அவைகளும் கையேர்வாரம் என்பதில் அடங்கியிருக்கின்றன. நம் நாட்டில் இன்று உணவுப் பொருள்கள் அதிகமாக உற்பத்தி செய்யவேண்டியிருக்கும் போது, 2,000, 4,000 எக்கர் வேலி நிலங்களைக் கரும்புச் சாகுபடி செய்து கொண்டிருப்பது நல்லதல்ல. மேலும், அவைகளுக்குச் சலுகை காட்ட வேண்டுமென்று சொல்வதும் நல்லதல்ல. ஆக, கையேர்வாரந்தார், மாட்டுவாரந்தார் இவர்களுக்கு வேண்டிய உரிமைகள், பாதுகாப்புகள் அளிக்கக்கூடிய மசோதா இப்பொழுது வந்திருப்பது பாராட்டத்தக்க தாகும். அதை நான் வரவேற்கிறேன். ஐயர் அவர்கள் ஒன்றும் தப்பாகச் சொல்லவில்லை. அவர் பழைய வாசனையில் இருப்பவர், வயது ஆகி விட்டதல்லவா ? இதனால் ஒரு தீமையும் வந்துவிடாது. நான் ஒரு " கன்ஸர்வேடிவ் " அல்ல.

" உலகத்தோடு ஒட்ட ஒழுகல் பலகற்றும்
கல்லார் அறிவில்லாதார்."

என்று வள்ளுவர் சொல்லியிருக்கிறார். உழவிற்கு ஆக்கம் அளித்தால்தான் நம் நாடு முன்னேறும் என்று கூறிக்கொண்டு இந்த மசோதாவை ஆதரித்து, வரவேற்கிறேன்.

* SRI G. KRISHNAMOORTHY : Mr. Chairman, Sir, during the recent few years, the policy of the Government with regard to land reform has been disturbing to many people. It has always been expected of a Government that it should give security to person and security to property. But, somehow or other, the land reforms ushered in by the Government one after another have been causing great concern in the minds of the people, that whatever they save by sweating and economizing their life is being tried to be taken away by the Government through legislation. Instead of the Government giving their full attention to the production of more food, they have been giving a part of their attention to the distribution of the land as among the so-called owners and tillers. In fact, many would be glad if the full benefit were to go to the tiller but, as per the various Acts so far passed by the Government and still in the process of being passed, the benefit does not go to the actual tiller but it goes to a middleman called the tenant. Now, I can understand a Government saying that the poor people should be paid such and such wages, but I cannot understand a Government saying that this property should go to the tiller. Now, ownership is a sacred thing which has been respected for ages and ages and suddenly a slogan that the land should go to the tiller and not to the man who tried to just save something and purchase that land is really disturbing. In fact, nobody will accept similar propositions that a house should go to the person who builds the house or that a taxi should go to the passenger who travels in that taxi. Now, certain special rules are sought to be applied with regard to land, water and air. But we do not know whether the land that

4-40 p.m.

11th February 1959] [Sri G. Krishnamoorthy]

the Government think of as common to all and as exempt from certain regulations applicable to property is the land which they really try to legislate upon. All cannot be equal however much the Government or the socialistic pattern may try to bring people on an equal level. Men have different qualities. Men have different ways of living. Men have different ways of just saving or squandering their wealth and nothing can be equal. In fact, Nature points to us that no two things can be equal. Dictionaries point to us that no two words can be synonyms and even our own hand points to us that unless these five fingers of the hands are different in length and strength, they cannot be of use. So, there will be diversity and there must be unity. In fact, that has been referred to in our Sastras. But how we adjusted all these years without the intervention of the Government through legislation was this. A charitable instinct was put in there through education. The richest men were in India and it was instilled in the minds of these richest men from their very early days through educational methods that what they held as riches was, after all, a trust on behalf of the poor. The charitable instinct was there and that has been stifled and killed by the modern educational method which has been perpetuated at a cost of Rs. 12 crores a year from a revenue of Rs. 60 crores. Now, the Government want to do everything through legislation and in passing the legislation, at the concluding third reading, we find the Government coming and telling us that nothing can be done by legislation alone but that the minds of the people must change, and that the people must all co-operate and so on. After all, we have to appeal to that moral instinct. Why cannot the Government appeal to that moral instinct from the very outset in the educational institutions so that the rich men having their wealth earned either by the sweat of their labour or inherited from their ancestors may part with their wealth on behalf of the poor through the charitable instinct to be instilled into their minds by educational methods? Having left that way, having no moral education whatsoever and having no spiritual education whatsoever in our educational curriculum, we think that we can make angels of the modern men through legislation. That can never be done. And that legislation has come to such an extent as to say that a man, a poor or middle-class man who out of his own Government service savings, has bought three or four acres should not own those acres but should part with those acres in the name of a legislation on behalf of a person who is not actually the tiller, who does not hold the plough as thought of by our revered colleague Sri Gajapathy Nayagar but who is a tenant, a middle man, who has got a number of other people to work there but who, according to our legislation, is to be entitled as a cultivating tenant to the benefit which will be taken away from that hard-earned money of the Government servant and be transferred to him. So, unless and until the Government realise that the minds of the people are to be changed through a charitable instinct which ought to be instilled even at the early stages of the primary school by the teacher, we cannot have salvation in society and any legislation cannot bring about a moral uplift of the people

or a proper evaluation of the principles. India, which has been noted for its charity and which is noted for its charity even now can be changed in its mind by such agitations and movements as the one launched by Acharya Vinobhaji and not through legislation of this type. So, I would humbly request the Government to put a stop to their land reform policy which brings about disharmony among the so-called landowner and the tiller, creates disputes and crowds courts with cases, and to see that the charitable instinct is put into the people—better late than never—at least in the future from this day through a modification of the educational curricula. I would humbly request the Government to put a stop to this further legislation and see that harmony is brought about between the landowner and the tiller and that more production is aimed at by the Government by their full attention being given to it and not by part of their attention being given to the socalled land reforms.

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, Sir, in the first place, I wish to thank the hon. Member opposite for appreciating certain attempts on our part to make this a little more realistic and workable. Then, as regards the last speaker, I think his criticism was more of a general nature regarding land reform as such and not particularly directed against this though his criticism will apply to one portion, namely, why a landowner should be deprived of his right and a cultivator, whether he is a full-fledged cultivator or otherwise, should be given the right. Now, Sir, this tenure is a peculiar one in Tiruchirappalli district and that too, in certain areas which are mentioned here in the Bill, in three or four taluks. This will apply only to certain villages mentioned in the Schedule. I think the villages mentioned are about 43 in number. It may be asked why a legislation should be brought in to cover a few villages. It arose in this way. In Tiruchirappalli district this tenure was being observed and everything was going on smoothly. But owing to the onrush of new ideologies and to the activities of political parties, a sort of disturbance was created there, thereby hindering the normal cultivation that was being carried on. Now, the Government watched for some time whether the situation would not be eased of its own accord by the parties settling the dispute, but it did not. It was growing worse. At such a juncture, the Government cannot keep quiet. They have to intervene and do something to restore peace and order and to see that the normal function of cultivation is carried on there. It is only with that view that the Ordinance was promulgated. But as mentioned earlier, this being a peculiar tenure obtaining in certain villages there and as the Government were not aware of all the details and the full implications of the tenure, we thought at one stage that a better knowledge of the tenure might be obtained by sending a Member of the Board there. The Member of the Board went there. His stay there might have been brief. But with all his past experience he is an expert in the matter. He is a Member with knowledge of these land tenures. He could study it in three or four hours but actually he was there for a day, I think. He had all

11th February 1959] [Sri **M. A. Manickavelu**]

the information necessary furnished by the Collector and other Revenue Officers. He visited some villages also and he consulted some of the landowners and tenants and gave his impressions of what this tenure was. Then, as it was stated, the Select Committee went into the matter. They thought that it was best to drop the Ordinance and the whole Bill and bring in a fresh Bill. This fresh Bill was passed in the Assembly and is now here.

The first question that arose for consideration was whether this legislation would adversely affect cultivation other than paddy, namely, sugarcane, plantain and betel. As far as I understand it, this tenure applies only to paddy cultivation. From the definition of *mattuvaramdar* and *kaiaeruvaramdar*, it only refers to cultivation of wet land. It does not specify the crop and all that. I will clarify it to-morrow when we take up the clause-by-clause consideration. I myself want to know exactly what the position is. If by any means another interpretation can be put that it may apply to other crops like sugarcane and betel, it will naturally bring in complications, and we will have to devise ways and means as to how best to see that no complication arises. It was asked, 'Why, when things are settling down, bring in this legislation now? Everything seems to go on all right. They have come to a sort of understanding, and they are going on'. Sir, they are also quite aware that legislation is coming. Not that they are not aware of it. So, they are not fomenting trouble and are not creating disorder. As a matter of fact, they know that legislation will come. So, this plea cannot absolve us from bringing in legislation. 4-50 p.m.

To avoid difficulties as far as possible, we fixed the end of the cultivation season as the starting point. Otherwise, that would have given us some difficulty. We have put the date as 1st April 1959. Some hon. Members suggested that it should be 1st June. Some others suggested that it should be 1st March. To conform to all the different periods obtaining there, 1st April will be the most convenient date.

Then, it was also said that in the case of a man who owned only three acres, this legislation would not apply. It was asked why this preference was shown to him. That is because a person owning three acres is entirely depending on the produce from that land. He cultivates the land himself. That is why we have put certain restrictions. A man who pays sales tax or income-tax should not have the benefit of this concession. A man who pays sales tax or income-tax has got other means of livelihood. A man owning above ten acres may be a well-placed person. He need not look to this land for his means of livelihood. There may be cases in which he may also be affected. I cannot say that there will not be such cases here and there. But we have to draw the line somewhere. We cannot make legislation to fit in exactly as we wish. There will be some loophole here or there. So, there will be this much of margin in all legislation, and in that respect, there may be some difficulty. These are all the points raised by hon. Members opposite.

de.

As regards the other points, I think it is better we take them up when we discuss the Bill clause-by-clause. If any vital suggestions are made, which should be taken into account, I will certainly do so. We think we have removed all difficulties and if hon. Members can show any difficulty, I shall have an open mind and I shall look into it.

MR. CHAIRMAN : The question is—

'That the Tiruchirappalli *Kaiaeruvaram* and *Mattuvaram* **Bill, 1958** (L.A. Bill No. 25 of 1958), as passed by the Legislative Assembly, be taken into consideration.'

The motion was put and carried.

MR. CHAIRMAN : The House will now adjourn and meet again at 3 p.m. to-morrow.

The House then adjourned.

IV.—PAPERS LAID ON THE TABLE OF THE HOUSE.

* 101. *Short review of activities and achievements of the Civil Supplies Department of Madras Government for the first half of the year* 1958.

* 102. *Notification issued with G.O. Ms. No.* 4162, *Revenue, dated* 17*th November* 1958, *regarding reorganization of administrative set-up consequent on the introduction of settlement in Orathanad taluk.*

* 193. *Notifications issued with Memorandum No.* 101261-J3/58-2, *Revenue, dated* 8*th December* 1958, *regarding ryotwari settlement of estates taken over in Tirupattur taluk, North Arcot district, under the Madras Estates (Abolition and Conversion into Ryotwari) Act,* 1948 (*Madras Act XXVI of* 1948).

* Laid on the table of the House on 10th February 1959.

APPENDIX I.

[Vide answer to starred question No. 21 asked by Vidwan T. Muthukannappan at the meeting of the Legislative Council held on 11th February 1959, page 221 supra.]

Names of the Members of the Committee constituted for the finalization of the Glossary of Tamil equivalents for English administrative terms, etc.

(*a*) The following are the names of the Members of the Committee constituted for the finalization of the Glossary of Tamil equivalents for English administrative terms :—

1. Sri S. Venkateswaran, I.C.S., Member, Board of Revenue, Chepauk, Madras-5 (*Chairman*)

2. Sri M. Ananthanarayanan, I.C.S., Director of Legal Studies, Madras.

3. Sri T. K. Sankaravadivelu, I.A.S., Secretary to Government, Revenue Department, Fort St. George, Madras-5.

4. Sri N. D. Sundaravadivelu, M.A., L.T., Director of Public Instruction, Madras.

5. Sri M. R. Perumal, Principal, Teachers' College, Saidapet.

6. Sri N. Vinayakam, Senior Translator to Government.

7. Sri P. Kothandaraman of *Swadesamitran.*

8. Sri C. Amritaganesa Mudaliar, Secretary, Indian Red Cross Society.

9. Sri R. P. Sethu Pillai, Professor of Tamil, University of Madras.

10. Sri K. Kothandapani Pillai, Member, Railway Service Commission, Madras-17.

11. Sri M. A. Kuttalalingam Pillai, B.A., Retired Collector, Palayamkottai.

12. Dr. D. R. Annamalai Pillai, L.C.P.S., L.M.S.S.A., M.R.A.S. (London).

13. Sri A. Arulappan, B.A., Professor of Tamil, St. Xavier's College, Palayamkottai.

14. Sri S. Ramaswami Konar, B.A., B.L., President, Madras Presidency Tamil Sangam.

15. Prof. A. Muthiah Pillai, Professor of Economics, Pachaiyappa's College, Madras-10.

16. Sri R. V. Krishna Ayyar, Secretary to Madras Legislature (retired).

17. Dr. Manavala Ramanujam.

18. Sri E. M. Subramania Pillai, Secretary, Madras Presidency Tamil Sangam.

(*b*) Yes, Sir. Generally, the terms given in the Glossary are being used in the offices where Tamil has been introduced. A few instances of deviation from the terms found in the Glossary have

[11th February 1959

come to notice during the visits of the Special Officer, working under the Official Language Act Implementation Committee, who has joined duty recently. In these cases, the transliteration of English words have been used.

Example.

Terms used.			*Terms in the Glossary.*
நோட்டீஸ்	..	..	அறிவிப்பு.
டிப்போ	..	..	பண்டக சாலை.
ஆபீசு	..	..	அலுவலகம்.
ஆக்ட்டு	..	..	சட்டம்.
பிரசிடெண்டு		..	தலைவர்.
மெம்பர்கள்		..	உறுப்பினர்கள்.
இன்ஸ்பெக்ஷன்		..	தணிக்கை, பார்வை.
மெட்டல் ரோடு		..	கற்சாலை.
வார்டு	..	..	பகுதி.

(*c*) The Heads of departments have been instructed to see that officers and clerks in the offices where Tamil has been introduced, familiarize themselves thoroughly with the terms in the Glossary and use them in day-to-day correspondence. The Special Officer is also giving instructions to the staff on the spot clearing their difficulties and asking them to use the appropriate terms found in the Glossary instead of using transliteration of English words.

APPENDIX II.

[Vide item III on page 237 supra.]

L.A. BILL No. 25 OF 1958.

(As passed by the Assembly.)

A Bill to define the conditions of engagement and to provide for the protection of kaiaeruvaramdars and mattuvaramdars in certain areas in the district of Tiruchirappalli.

WHEREAS in certain areas of Tiruchirappalli district certain peculiar kinds of relationship in respect of land called *kaiaeruvaram* and *mattuvaram* are prevalent and whereas the uncertainties regarding the incidents of those relationships have led to frequent disputes between the landowners and *kaiaeruvaramdars* and *mattuvaramdars*, leading to unsettled conditions and breaches of peace and causing fall in agricultural production;

AND WHEREAS it is expedient to define the conditions of engagement and to provide for the protection of *kaiaeruvaramdars* and *mattuvaramdars* in certain areas in the district of Tiruchirappalli;

BE it enacted in the Ninth Year of the Republic of India as follows :—

1. *Short title, extent and commencement.*—(1) This Act may be called the Tiruchirappalli *Kaiaeruaram* and *Mattuvaram* Act, 1958.

(2) It extends to the villages in the district of Tiruchirappalli specified in the Schedule.

11th February 1959]

(3) It shall come into force on the 1st day of April 1959.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(*a*) " garden land " means dry land irrigated by lifting water from wells or other sources;

(*b*) " *kaiaeruvaramdar* " means any person engaged by a landowner to do ploughing and watering operations or ploughing operation alone on a land for remuneration for such work by a share in the crop on the land in respect of which such work is done or by payment of a fixed quantity of paddy or by both such share and payment;

(*c*) " landowner " in relation to a *kaiaeruvaram* or *mattuvaramdar* means the owner of a land who has engaged the *kaiaeruvaramdar* or the *mattuvaramdar* and includes any person deriving any right from such owner in respect of that land;

(*d*) " *mattuvaramdar* " means any person engaged by a landowner to supply bulls for ploughing operations and to do ploughing and other operations on a land for remuneration for such work by a share in the crop on the land in respect of which such work is done;

(*e*) one acre of wet land shall be deemed to be equivalent to one and a half acres of garden land or three acres of dry land and any reference to acres of wet land shall be deemed to include a reference to dry or garden land reduced to their equivalent extent of wet land.

3. *Remuneration payable to kaiaeruvaramdar.*—Notwithstanding anything to the contrary contained in any pre-existing law, custom, usage, agreement or decree or order of a Court, the remuneration payable to any *kaiaeruvaramdar* shall be on the same terms as were applicable to him immediately before the commencement of this Act.

4. *Dismissal of kaiaeruvaramdar.*—(1) Subject to the provisions of sub-sections (2) and (3), no landowner shall dismiss a *kaiaeruvaramdar* after the commencement of the agricultural operations in a crop season.

(2) Any landowner may dismiss a *kaiaeruvaramdar* for misconduct or for neglect of duty but shall within a week of the dismissal report the fact of such dismissal to the Tahsildar having jurisdiction over the area.

(3) Any landowner or *kaiaeruvaramdar* may terminate the engagement by giving notice in writing of not less than twelve months or by mutual agreement, provided that where the landowner terminates the engagement under this sub-section, he shall be liable to pay to the *kaiaeruvaramdar* such compensation as may be prescribed or such amount as may be mutually agreed upon.

5. *Kaiaeruvaramdar to be re-engaged in certain cases.*—Any *kaiaeruvaramdar* whose engagement has been terminated on or after the 1st January 1957 and before the commencement of this Act,

[11th February 1959

shall, on application made within thirty days after the commencement of this Act to the Tahsildar having jurisdiction over the area in which the land is situated be entitled to be re-engaged as a *kaiaeruvaramdar* under this Act by the landowner concerned :

Provided that the application may be received after the period of thirty days aforesaid if the applicant satisfies the Tahsildar that he had sufficient cause for not making the application within that period :

Provided further that any order for re-engaging any *kaiaeruvaramdar* under this section shall, in respect of any land where there are standing crops on the date of such order, take effect immediately after the harvest of such crops.

6. *Adjudication of disputes*.—(1) Save as otherwise expressly provided in this Act, any dispute between a landowner and a *kaiaeruvaramdar* including any dismissal of a *kaiaeruvaramdar* under sub-section (2) of section 4 or any matter which affects their mutual harmonious relationship in the cultivation of land, shall, on application by any party aggrieved or on receipt of the report made under section 4 (2) be decided by the Tahsildar having jurisdiction over the area in which the land is situated.

Explanation.—Where the land in respect of which the *kaiaeruvaramdar* is engaged is situated in the jurisdiction of more than one Tahsildar, it shall be open to the party aggrieved to apply to any one of those Tahsildars.

(2) Against any final order passed by the Tahsildar under sub-section (1), an appeal shall lie to the Revenue Divisional Officer to whom the Tahsildar concerned is subordinate within thirty days of the passing of the order unless he, for reasons to be recorded in writing, considers that there was sufficient reason for not preferring the appeal within time and condones the delay in preferring the appeal within that time; and the decision of the Revenue Divisional Officer on such appeal shall be final.

7. *Application of Madras Act XXV of 1955 and Madras Act XIV of 1956 to mattuvaramdars*.—Notwithstanding anything contained in the Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955), and the Madras Cultivating Tenants (Payment of Fair Rent Act, 1956 (Madras Act XXXIV of 1956),

(*a*) the provisions of those Acts shall apply to any *mattuvaramdar* under a landowner who owns more than ten acres of wet land and such a *mattuvaramdar* shall be deemed to be a cultivating tenant within the meaning of those Acts; and

(*b*) any *mattuvaramdar* under a landowner referred to in sub-section (2) of section 9 whose engagement has not been terminated under that sub-section shall be entitled to continue as a *mattuvaramdar* on the same terms as were applicable to him immediately before the commencement of this Act and the Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955), shall, as far as may be, apply to him as if he were a cultivating tenant under that Act.

11th February 1959]

8. *Transitory provision.*—(1) Any proceeding under the Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955) (hereinafter in this section referred to as the said Act), which has been disposed of on or after the 1st January 1957 and before the commencement of this Act on the footing that the said Act did not apply to any *mattuvaramdar* referred to in clause (*a*) of section 7 shall, on application made by such *mattuvaramdar* within thirty days after the commencement of this Act, be reopened and disposed of in accordance with the provisions of the said Act as if he were a cultivating tenant within the meaning of the said Act :

Provided that the application may be received after the period of thirty days aforesaid if the applicant satisfies the authority concerned that he had sufficient cause for not making the application within that period.

(2) Any *mattuvaramdar* referred to in clause (*a*) of section 7 whose engagement has been terminated on or after the 1st January 1957 and before the commencement of this Act on the footing that the said Act did not apply to him at the relevant time shall, on application made within thirty days after the commencement of this Act, be entitled to be re-engaged on the terms specified in clause (*b*) of section 7 :

Provided that no such application shall be maintainable as against a landowner who would be entitled to terminate the engagement under sub-section (1) or sub-section (2) of section 9 to the extent specified in those sub-sections :

Provided further that the application may be received after the period of thirty days aforesaid if the applicant satisfies the authority concerned that he had sufficient cause for not making the application within that period.

(3) The provisions of section 4 of the said Act shall, so far as may be, apply to any *mattuvaramdar* entitled to be re-engaged on an application made under sub-section (2).

(4) Notwithstanding anything contained in this section any order for re-engaging any *mattuvaramdar* under this section shall, in respect of any land where there are standing crops on the date of such order, take effect immediately after the harvest of such crops.

9. *Landowner entitled to resume possession in certain cases.*—(1) Notwithstanding anything contained in sections 7 and 8, a landowner who owns not more than three acres of wet land and who has not been assessed to any sales tax, or income-tax under the respective laws relating to the levy of such taxes during 1955–56 or 1956–57 shall be entitled to terminate the engagement of any *mattuvaramdar* as if this Act had not been passed.

(2) Notwithstanding anything contained in sections 7 and 8, a landowner who owns not more than ten acres of wet land and who has not been assessed to any sales tax, or income-tax under the respective laws relating to the levy of such taxes during 1955–56 or 1956–57 shall be entitled to terminate the engagement of the *mattuvaramdars* as if this Act had not been passed :

Provided that the total extent of land in respect of which any such landowner as is referred to in this sub-section shall be entitled to so terminate the engagement of the *mattuvaramdars* shall not exceed three acres of wet land inclusive of the wet land on which such landowner has been carrying on personal cultivation :

Provided further that any such landowner as is referred to in this sub-section shall have the right of choosing the lands in respect of which he desires to terminate the engagement of the *mattuvaramdar*.

(3) Any landowner desiring to terminate the engagement of the *mattuvaramdars* under sub-section (1) or under sub-section (2) shall apply to the Revenue Divisional Officer in whose jurisdiction the lands or any part thereof are situate and the provisions of sub-section (2) of section 4-A of the Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955), shall, so far as may be, apply to an application made under this sub-section.

(4) No person who is not entitled to terminate the engagement of the *mattuvaramdars* under this section on the date of the commencement of this Act shall be deemed to be so entitled by reason of any subsequent change in his circumstances.

10. *Levy of court-fee.*—Every application or memorandum of appeal under this Act shall bear a court-fee stamp of one rupee.

11. *Revision by the High Court.*—The Revenue Divisional Officer shall be deemed to be a court subordinate to the High Court for the purposes of section 115 of the Code of Civil Procedure, 1908 (Central Act V of 1908), and any order of the Revenue Divisional Officer under this Act shall be liable to revision by the High Court under the provisions of that section.

12. *Bar of jurisdiction of civil court.*—No civil court shall entertain any suit or other proceeding to set aside or modify any order, decision or award passed by any Tahsildar, Revenue Divisional Officer or other authority under this Act or in respect of any other matter falling within his or its scope.

13. *Power to make rules.*—(1) The State Government may, by notification, make rules to carry out the purposes of this Act, and in particular for the execution or enforcement of any orders, decisions or awards passed thereunder or for the removal of any doubts or difficulties which may arise in giving effect to the provisions thereof.

(2) All rules made under this Act shall, as soon as possible after they are made, be placed on the table of both the Houses of the Legislature and shall be subject to such modifications by way of amendments or repeal as the Legislative Assembly may make within fourteen days on which the House actually sits either in the same session or in more than one session.

14. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty. A copy of

11th February 1959]

every order passed under this section shall be laid before each House of the Legislature as soon as possible after they are made and shall be subject to such modifications whether by way of repeal or amendment as the Legislature may make in the same session or in the next session.

SCHEDULE.

[*See* section 1 (2).]

Serial number.	Revenue number.	Name of village.
		(1) *Kulitalai taluk.*
1	15	Krishnarayapuram.
2	13A	Mahadanapuram North.
3	14	Kammanallur.
4	11	Kallapalli.
5	12	Chintalavady.
6	10	Pillapalayam.
7	8	K. Pettai.
8	7	Vadiyam.
9	6	Manathattai.
10	5	Vaigainallur North.
11	4	Kulitalai.
12	3	Rajendram.
13	2	Marudur North.
14	1	Kumaramangalam.
15	37	Poyyamani.
16	38	Nangavaram North.
17	38A	Nangavaram South.
		(2) *Musiri taluk.*
1	30	Natham.
2	32	Arasalur.
3	33	Thottiam.
4	48	Ayyampalayam.
5	54	Amur.
6	55	Konasilam.
7	46	Sundakkai.
8	47	Vellur.
9	28	Sriramasamudram.
10	36	Alagarai.
11	34	Sithur.

[11th February 1959

Serial number.	Revenue number.	Name of village.
		(3) *Karur taluk.*
1	22A	Nerur North.
2	22B	Nerur South.
3	23	Achamapuram.
4	25	Somur.
5	26	Koyampalli.
		(4) *Tiruchirappalli taluk.*
1	14	Andanallur.
2	17	Sirugamani.
3	19	Kulumani.
		(5) *Lalgudi taluk.*
1	2	Kariamanickam.
2	3	Kilianallur.
3	4	Melpathu.
4	11	Ulundangudi.
5	14	Manachanallur.
6	18	Melaseedevimangalam.
7	19	Vengagudi.